UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/879,829	ABBOTT ET AL.
	Examiner	Art Unit
	Peng Ke	2174

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 June 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19,35-42 and 60-81</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19, 35-42, and 60-81</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 6/19/05.

Claims 1-19, 35-42, and 60-81 are pending in this application. Claims 1, 10, 19, 35, and 74-80

are independent claims. In the Amendment, filed on 8/3/04, claim 10 is amended.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, and 79-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fado et al., US Patent No. 6,067,084 in view of Hochstedler US Patent No. 6707476.

As per claim 1, Fado et al. ("Fado") teaches one or more computer-readable media

storing a computer program that, when executed by one or more processors, causes the one or

more processors to:

display a subset of a plurality of steps in an order to be performed by a user (see Fado,

column 2, lines 6 – 22);

alter an appearance of a current step in the subset of steps that needs to be performed by

the user to distinguish the current step from other steps in the subset (see Fado, column 2, lines 6

– 22; the examiner interprets displaying a graphical user interface for every step as altering the

appearance of the step);

allow the user to input data corresponding to the current step (see Fado, column 2, lines 6

– 22); and

scroll, in response to user input of data corresponding to the current step, the plurality of

steps so that a new subset of the plurality of steps is presented to the user (see Fado, column 2,

lines 6 – 22; the examiner interprets displaying the next step as a graphical user interface as

scrolling to present the next step).

However, Fado fails to teach the method further receives information about a current

context of the user from a context awareness component that receives sensed information from

multiple sources and that mediates amongst the multiple sources to build a model of the current

context of the user;

In response to the received information about the current context of the user, alter one or

more of the subset of steps that needs to be performed by the user by altering multiple interaction

elements that affect interactions with the user for the current step, the interaction element

including:

Instruction associated with handling the current step;

Presentation of instructions associated with handling the current step;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current step; and

Means by which the user provides input to complete the current step;

When input data is not received from the user for the current step and information

received from the context awareness component indicates the user is currently distracted, further

altering one or more of the interaction elements for the current step in such a manner as to be

less cognitively burdensome for the user;

Hochstedler teaches a method that method further receives information about a current context of the user from a context awareness component that receives sensed information from multiple sources and that mediates amongst the multiple sources to build a model of the current context of the user (col. 1, lines 49-col.2, lines 20);

In response to the received information about the current context of the user, alter one or more of the subset of steps that needs to be performed by the user by altering multiple interaction elements that affect interactions with the user for the current step, the interaction element including:

Instruction associated with handling the current step ;

Presentation of instructions associated with handling the current step;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current step (col. 1, lines 49-col.2, lines 20); and

Means by which the user provides input to complete the current step (col. 1, lines 49-col.2, lines 20);

When input data is not received from the user for the current step and information received from the context awareness component indicates the user is currently distracted, further altering one or more of the interaction elements for the current step in such a manner as to be less cognitively burdensome for the user (col. 6, lines-32-49);

It would have been obvious to an artisan at the time of the invention to include Hochstedler's teaching with method of Fado in order to change system layout or setting as the needs of the user changes.

As per claim 2, which is dependent on claim 1, Fado and Hochstedler teaches the computer-readable media of claim 1 (see rejection above). Fado further teaches one or more computer-readable media as recited in claim 1, wherein the computer program further causes the one or more processors to:

alter, in response to user input of data corresponding to the current step, the appearance of another step as necessary to identify the new current step in the subset of steps that needs to be performed by the user (see Fado, column 2, lines 6 – 22; the examiner interprets displaying a second graphical user interface in response to a user selecting a headset with microphones as altering the appearance of another step).

As per claim 79, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 80, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 81, Fado and Hochstedler teach the method of claim 1. However they fail to teach where the computing device is a wearable computer. Official Notice is taken that programming an application for wearable computer is well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the this well known feature with the method of Fado and Hochstedler in order to provide portability for the application software.

Claims 10 – 14, 16, 17,19, 35 – 38, 40–42, and 60-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al., U.S. Patent No. 6,661,437 in view of Hochstedler US Patent No. 6707476.

As per claim 10, Miller teaches a method comprising:

displaying a list of items to be handled by a user in a particular order (see Miller, column 7, line 47 – 51);

identifying one item in the list of items that is a current item (see Miller, figure 9, item 915 and column 2, lines 34 – 46);

receiving a user input corresponding to the current item (see Miller, column 7, lines 55 – 58); and

updating, in response to receiving the user input, the identification of the one item that is the current item to indicate the next item in the list of items as the current item (see Miller, figure 9, items 910 – 930, and column 7, line 44 – 58; it is inherent that the currently selected setting will be highlighted and therefore when the next setting is selected to be changed it is highlighted and the setting that was being worked on is no longer highlighted).

However, Miller fails to teach receiving information about a modeled current context of the user;

In response to the received information about the modeled current context of the user automatically determining one or more of multiple elements to alter regarding interaction with the user and altering the determined elements, the multiple elements including:

Instructions associated with handling the current item;

Presentation of instructions associated with handling the current item;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current items; and

Means by which the user provides input to complete the current items;

Hochstedler teaches a method that method further receives information about a current

context of the user from a context awareness component that receives sensed information from

multiple sources and that mediates amongst the multiple sources to build a model of the current

context of the user (col. 1, lines 49-col.2, lines 20);

In response to the received information about the current context of the user, alter one or

more of the subset of steps that needs to be performed by the user by altering multiple interaction

elements that affect interactions with the user for the current step, the interaction element

including:

Instruction associated with handling the current step ;

Presentation of instructions associated with handling the current step;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current step (col. 1, lines 49-col.2, lines

20); and

It would have been obvious to an artisan at the time of the invention to include

Hochstedler's teaching with method of Miller in order to provide user with the ability to change

system layout and setting.

As per claim 11, which is dependent on claim 10, Miller and Hochstedler teach

the method of claim 11 (see rejection above). Miller further teaches a method as recited

in claim 10, wherein displaying the list of items comprises displaying at least one item

corresponding to a task that has already been performed and at least one item

corresponding to a task that still needs to be performed by the user (see Miller, figure 9,

items 910 – 930, column 2, lines 42 – 46, and column 7, lines 49 – 51; the examiner

interprets displaying settings that need to be set as displaying future tasks that need to

be performed by the user).

As per claim 12, which is dependent on claim 10, Miller and Hochstedler teach

the method of claim 10 (see rejection above). Miller further teaches a method as recited

in claim 10, wherein displaying the list of items comprises displaying, after the user input

is received, the user input in place of the corresponding item (see Miller, figure 4, item

415 and column 6, lines 59 – 64; it is inherent that item 415 is replaced to display the

input when selected by the user as shown in figure 4 because corresponding,

unselected item 420 is displayed without this input).

As per claim 13, which is dependent on claim 10, Miller and Hochstedler teach

the method of claim 10 (see rejection above). Miller further teaches a method as recited

in claim 10, wherein displaying the list of items comprises displaying only a subset of

the list of items at any given time (see Miller, figure 5, item 555).

As per claim 14, which is dependent on claim 13, Miller and Hochstedler teach the

method of claim 13 (see rejection above). Miller further teaches a method as recited in claim 13,

further comprising scrolling through the list of items to display different subsets as items in the

list are handled by the user (see Miller, column 6, line 65 – column 7, line 8).

As per claim 16, which is dependent on claim 10, Miller and Hochstedler teach the

method of claim 10 (see rejection above). Miller further teaches a method as recited in claim 10,

wherein the list of items comprises a list of tasks to be completed by the user, and wherein

handling of an item by the user comprises the user completing the task (see Miller, column 7,

lines 44 – 58).

As per claim 17, which is dependent on claim 16, Miller and Hochstedler teach

the method of claim 16 (see rejection above). Miller further teaches a method as recited

in claim 16, wherein the list of tasks comprises a list of prompts corresponding to data to

be entered into the computer by the user (see Miller, column 7, lines 44 – 58).

As per claim 19, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 35, Miller teaches a system comprising:

a display device; a user interface component, coupled to the display device,

causing a user interface to be displayed on the display device (see Miller, column 1,

lines 32 – 34);

wherein the user interface includes a list portion in which a list of a plurality of

items to be handled by a user are displayed (see Miller, column 7, line 47 – 51);

wherein the user interface further includes a current location marker identifying

one of the items in the list as the current item that needs to be handled by the user (see

Miller, column 2, lines 34 – 46); and

wherein the user interface component further automatically updates the current

location marker to identify a new item in the list in response to the user handling the

current item in the list (see Miller, figure 9, items 910 – 930, and column 7, line 44 – 58;

it is inherent that the currently selected setting will be highlighted and therefore when

the next setting is selected to be changed it is highlighted and the setting that was being

worked on is no longer highlighted).

However, Miller fails to teach receiving information about a current context of the user;

In response to the received information about the current context of the user determining

one or more of multiple elements to alter regarding interaction with the user and altering the

determined elements, the multiple elements including:

Instructions associated with handling the current item;

Presentation of instructions associated with handling the current item;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current items; and

Means by which the user provides input to complete the current items;

Hochstedler teaches a method that method further receives information about a current

context of the user from a context awareness component that receives sensed information from

multiple sources and that mediates amongst the multiple sources to build a model of the current

context of the user (col. 1, lines 49-col.2, lines 20);

In response to the received information about the current context of the user, alter one or

more of the subset of steps that needs to be performed by the user by altering multiple interaction

elements that affect interactions with the user for the current step, the interaction element

including:

Instruction associated with handling the current step ;

Presentation of instructions associated with handling the current step;

Available choices which are used to handle the current step;

Methods that a user may use to handle the current step (col. 1, lines 49-col.2, lines

20); and

It would have been obvious to an artisan at the time of the invention to include

Hochstedler's teaching with method of Miller in order to user the ability to change system layout

and setting.

As per claim 36, which is dependent on claim 35, it is of similar scope to claim 12

and is rejected under the same rationale as claim 12 (see rejection above).

As per claim 37, which is dependent on claim 35, it is of similar scope to claim 13

and is rejected under the same rationale as claim 13(see rejection above).

As per claim 38, which is dependent on claim 37, it is of similar scope to claim 14

and is rejected under the same rationale as claim 14 (see rejection above).

As per claim 40, which is dependent on claim 35, it is of similar scope to claim 16 and is

rejected under the same rationale as claim 16 (see rejection above).

As per claim 41, which is dependent on claim 40, it is of similar scope to claim 17 and is

rejected under the same rationale as claim 17 (see rejection above).

As per claim 42, which is dependent on claim 40, Miller and Hochstedler teach the

method of claim 40 (see rejection above). Miller further teaches a system as recited in claim 40,

wherein the user interface component is implemented in software (see Miller, column 2, lines 27

– 30).

As per claim 60, Miller and Hochstedler teach the method of claim 10. Hochstedler

further teaches the identifying comprises superimposing, on the display of the current item in the

list, a set of one or more input options corresponding to the item (Fig. 7, item 138, col. 4, lines

30-40).

As per claim 61, Miller and Hochstedler teach the method of claim 60. Hochstedler

further teaches the identifying comprises receiving, as the input corresponding to the current

item, one of the input options from the set of one of more input options (Fig. 7, item 138, col. 4,

lines 30-40).

As per claim 62, Miller and Hochstedler teach the method of claim 10. Hochstedler

further teaches the particular order is altered in response to the receiving of the information about

the current context of the user (col. 1, lines 50-col. 2 lines 20).

As per claim 63, Miller and Hochstedler teach the method of claim 10. Hochstedler

further teaches where the determining of which of the multiple elements to alter is based at least

in part on information about the current context of the user (col. 1, lines 50-col. 2 lines 20).

As per claim 64, Miller and Hochstedler teach the method of claim 10. Hochstedler

further teaches where the current context of the user includes an estimate of cognitive availability

of the user derived at least in part from user response time (col. 1, lines 50-col. 2 lines 20).

As per claim 65, Miller and Hochstedler teach the method of claim 10. Hochstedler further teaches including, after receiving current context information for the user regarding a current ability of the user to handle items, further altering the multiple elements to reduce a cognitive burden of handling items (Fig. 7, item 138, col. 4, lines 30-40).

As per claim 66, Miller and Hochstedler teach the method of claim 65. Hochstedler teaches wherein the further altering is not performed if the user acts promptly (col. 1, lines 50-col. 2 lines 20).

As per claim 67, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches the determining of which of the multiple elements to alter is performed based on the current context so as place minimal cognitive burden on the user (Fig. 7, item 138, col. 4, lines 30-40).

As per claim 68, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches wherein information about the item for which the user input was received is amended with indication of the user input. (Fig. 7, item 138, col. 4, lines 30-40)

As per claim 69, Miller and Hochstedler teach the method of claim 10. However they fail to teach where the displaying and presentation may be performed using any appropriate means of communicating with the user including audio and or video. Official Notice is taken that displaying and presentation may be performed using any appropriate means of communicating with the user including audio and or video is well known in the art. There for it would have been obvious to one of ordinary skill in the art at the time of the invention to allow portions of the presentation to performed with audio or video in order to catch user's attention.

As per claim 70, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches further alteration is done to amend a modality of user input after receiving current context information for the user regarding ability of the user to handle items using different modalities. (Fig. 7, item 138, col. 4, lines 30-40)

As per claim 71, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches further alteration is done to amend a modality of display or presentation after receiving current context information for the user regarding an ability of user to handle items using different modalities (col. 1, lines 50-col. 2 lines 20).

As per claim 72, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches the determining of which of the multiple elements to alter is performed so as to allow the user to recognize presented user input that will handle the item (Fig. 7, item 138, col. 4, lines 30-40).

As per claim 73, Miller and Hochstedler teach the method of claim 10. Hochstedler teaches the current context of the user is determined by a remote module based on sensed information from multiple sources about the user and/or about an environment of the user (col. 1, lines 50-col. 2 lines 20).

As per claim 74, it is rejected with the same rationale as claim 10. (see rejection above)

As per claim 75, it is rejected with the same rationale as claim 10. (see rejection above)

As per claim 76, it is rejected with the same rationale as claim 10. (see rejection above)

As per claim 77, it is rejected with the same rationale as claim 10. (see rejection above)

As per claim 78, it is rejected with the same rationale as claim 10. (see rejection above)

Claims 3 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fado et al.,

U.S. Patent No. 6,067,084 in view of Hochstedler US Patent No. 6707476 further in view of

Miller et al., U.S. Patent No. 6,661,437.

As per claim 3, which is dependent on claim 1, Fado and Hochstedler teaches

the computer-readable media of claim 1 (see rejection above). They fail to teach one or

more computer-readable media as recited in claim 1, wherein altering the appearance

of the current step comprises marking the current location with a ball. Miller et al.

("Miller") teaches altering the appearance of the current step comprises marking the

current location with a ball (see Miller, figure 2, item 220). It would have been obvious

to one of ordinary skill in the art at the time of the invention to incorporate the method of

Miller with the computer-readable media of Fado and Hochstedler in order to indicate

menu entry points.

As per claim 4, which is dependent on claim 1, Fado and Hochstedler teach the

computer-readable media of claim 1 (see rejection above). They fail to teach one or more

computer-readable media as recited in claim 1, wherein altering the appearance of the current

step comprises displaying the current step differently than other steps in the subset. Miller

teaches altering the appearance of the current step comprises displaying the current step

differently than other steps in the subset (see Miller, figure 9, item 915). It would have been

obvious to one of ordinary skill in the art at the time of the invention to incorporate the method

of Miller with the computer-readable media of Fado and Hochstedler in order to enable the user

to readily differentiate the current step.

As per claim 5, which is dependent on claim 1, Fado and Hochstedler teaches the

computer-readable media of claim 1 (see rejection above). They do not teach one or more

computer-readable media as recited in claim 1, wherein altering the appearance of the current

step comprises replacing the current step with a set of one or more input options for the current

step. Miller teaches altering the appearance of the current step comprises replacing the current

step with a set of one or more input options for the current step (see Miller, figure 4, item 415

and column 6, lines 59 – 64; it is inherent that item 415 is replaced to display the input options

when selected as shown in figure 4 because corresponding, unselected item 420 is displayed

without these options). It would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate the method of Miller with the computer-readable media of Fado

and Hochstedler in order to indicate task option status to the user.

As per claim 6, which is dependent on claim 1, Fado and Hochstedler teach the

computer-readable media of claim 1 (see rejection above). They do not teach one or

more computer-readable media as recited in claim 1, wherein altering the appearance

of the current step comprises superimposing, on the current step, a set of one or more

input options for the current step. Miller teaches altering the appearance of the current

step comprises superimposing, on the current step, a set of one or more input options

for the current step (see Miller, figure 3, items 330 and 335; the examiner interprets

displaying dialog box 335 as superimposing more input options for the current step

330). It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the method of Miller with the computer-readable media of Fado

in order to indicate task option status to the user.

As per claim 7, which is dependent on claim 1, Fado and Hochstedler teaches the computer-readable media of claim 1 (see rejection above). They do not teach one or more computer-readable media as recited in claim 1, wherein the computer program further causes the one or more processors to: replace, in the subset, the display of the current step with a display of the input data. Miller teaches replacing, in the subset, the display of the current step with a display of the input data (see Miller, figure 4, item 415 and column 6, lines 59 – 64; it is inherent that item 415 is replaced to display the input options when selected as shown in figure 4 because corresponding, unselected item 420 is displayed without these options). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Miller with the computer-readable media of Fado and Hochstedler in order to indicate options of the current step to the user.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fado et al., U.S. Patent No. 6,067,084 in view of Hochstedler US Patent No. 6707476 further in view of Amezcua et al., U.S. Patent No. 4,458,331.

As per claim 8, which is dependent on claim 1, Fado and Hochstedler and teach the method of claim 1 (see rejection above). They do not teach one or more computer-readable media as recited in claim 1, wherein the computer program further causes the one or more processors to: display a current processing marker that identifies which step in the subset of steps

is currently being processed by the one or more processors. Amezcua et al. ("Amezcua") teaches

displaying a current processing marker that identifies which step in the subset of steps is

currently being processed by the one or more processors (see Amezcua, column 2, lines 5 – 12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the method of Amezcua with the computer-readable media of Fado and Hochstedler

to provide a means of communicating to the user should a step running in the background require

attention during its processing.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fado et al., U.S.

Patent No. 6,067,084 in view of Hochstedler US Patent No. 6707476 further in view of Janik,

U.S. Patent No. 5,285,398.

As per claim 9, which is dependent on claim 1, Fado and Hochstedler teaches the

computer-readable media of claim 1 (see rejection above). They do not teach one or more

computer-readable media as recited in claim 1, wherein the one or more computer-readable

media comprise a computer memory of a wearable computer. Janik teaches a computer-readable

media comprising a computer memory of a wearable computer (see Janik, column 2, lines 23 –

28). It would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the wearable computer of Janik with the computer-readable media of Fado and

Hochstedler in order to allow portability of the computer-readable media.

Claims 15 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller

et al., U.S. Patent No. 6,661,437 in view of Hochstedler US Patent No. 6707476 further in view

of Amezcua et al., U.S. Patent No. 4,458,331.

As per claim 15, which is dependent on claim 10, Miller and Hochstedler teach

the method of claim 10 (see rejection above). They do not teach a method as recited in

claim 10, further comprising displaying a current processing marker identifying an item

in the list of items corresponding to a current user input being processed. Amezcua et

al. ("Amezcua") teaches displaying a current processing marker identifying an item in

the list of items corresponding to a current user input being processed (see Amezcua,

column 2, lines 5 – 12). It would have been obvious to one of ordinary skill in the art at

the time of the invention to incorporate the method of Amezcua with the method of Miller

and Hochstedler to provide a means of communicating to the user should a step

running in the background require attention during its processing.

As per claim 39, which is dependent on claim 35, it is of similar scope to claim 15

and is rejected under the same rationale as claim 15 (see rejection above).

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller

et al., U.S. Patent No. 6,661,437 in view of Hochstedler US Patent No. 6707476 further

in view of Best, U.S. Patent No. 4,569,026.

As per claim 18, which is dependent on claim 10, Miller and Hochstedler teach

the method of claim 10 (see rejection above). They do not teach a method as recited in

claim 10, wherein the list of items comprises a list of prompts of words to be spoken by

the user, and wherein handling of an item by the user comprises speaking one or more

words corresponding to the prompt. Best teaches a method wherein a list of items

comprises a list of prompts of words to be spoken by the user, and wherein handling of

an item by the user comprises speaking one or more words corresponding to the

prompt (see Best, column 2, lines 25 – 30). It would have been obvious to one of

ordinary skill in the art at the time of the invention to incorporate the method of Best with

the method of Miller and Hochstedler in order to provide an illusion of individualized and

active participation with a system.

Response to Argument

Applicant's arguments filed on 6/19/05 have been fully considered but they are not

persuasive.

Applicant's arguments focused on the following:

A) Hochstedler fails to teach receiving information abut a modeled current context of

the user and in response to the received information about the modeled current context of the

user, automatically determining one or more of multiple elements to alter regarding interactions

with the user and altering the determined elements.

A) Examiner disagrees. Hochstedler teaches this limitation because Hochstedler teaches

a layout of the GUI that changes with "the need of users." (see Hochstedler, column 1, lines 50-

65) The monitoring system of Hochstedler provides users, doctors and nurses, with a plurality of

sensors, including a blood-pressure sensor, a temperature sensor, an ECG... (see Hochstedler,

column 3, lines 14-26) The GUI of the monitoring system is constantly modifying its

appearance to one that is suitable with the number or type of the sensors that are used by the

user. (see Hochstedler, column 3, lines 40-69) Hochstedler's system is different from a stock

ticker system because Hochstedler's users can choose any sensors that are provided by the

system, while the stock ticker system's users cannot pick the stock prices that are displayed by

the system.

B) Hochstedler fails to teach when input data is not received from the user for the current

step and information received from the context awareness component indicate that the user is

current distracted, further altering one or more of the interaction elements for the current step in

such a manner as to be less cognitively burdensome for the user.

B) Examiner disagrees. Hochstedler teaches this limitation because when a user is

distracted and therefore cannot provide Hochstedler's system with a selection input, the system

automatically generates a layout that is least cognitively burdensome to the user. (see

Hochstedler column 6, lines 46-49) The layout is the least cognitively burdensome to the user

because the layout is generated according to the user's preference setting. (see Hochstedler

column 6, lines 46-49)

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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